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RICHARD W. NAGEL, CLERK OF COURT
COLUMBUS, OHIO

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

Dustin Edwin Barker

(ENTER ABOVE THE NAME OF THE PLAINTIFF IN THIS ACTION)

IF THE PLAINTIFF IS A PRISONER:

PRISONER # 38421

vs.

Muskingum county Jail

(ENTER ABOVE THE NAME OF THE DEFENDANT IN THIS ACTION)

IF THERE ARE ADDITIONAL DEFENDANTS PLEASE LIST THEM:

Muskingum county Sheriff's Office

Muskingum County

Zanesville Municipal Corporation

The State of Ohio

2 2 1 0 V 4 9 8 7

Judge Morrison

COMPLAINT

MAGISTRATE JUDGE DEAVIER

I. PARTIES TO THE ACTION:

PLAINTIFF:

PLACE YOUR NAME AND ADDRESS ON THE LINES BELOW. THE ADDRESS YOU GIVE MUST BE THE ADDRESS THAT THE COURT MAY CONTACT YOU AND MAIL DOCUMENTS TO YOU. A TELEPHONE NUMBER IS REQUIRED.

Dustin Edwin Barker

NAME - FULL NAME PLEASE - PRINT

28 N. 4th Street, Zanesville

ADDRESS: STREET, CITY, STATE AND ZIP CODE

Ohio 43701

740-975-0770

TELEPHONE NUMBER

IF THERE ARE ADDITIONAL PLAINTIFFS IN THIS SUIT, A SEPARATE PIECE OF PAPER SHOULD BE ATTACHED IMMEDIATELY BEHIND THIS PAGE WITH THEIR FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS. IF NO ADDITIONAL PLAINTIFFS EXIST CONTINUE WITH THIS FORM.

PAGE 2 AND 3 OF THIS FORM DEAL ONLY WITH A PLAINTIFF THAT IS INCARCERATED AT THE TIME OF FILING THIS COMPLAINT.

IF YOU ARE A PRISONER FILING A CIVIL SUIT THE FOLLOWING INFORMATION IS REQUIRED:

PREVIOUS LAWSUITS:

- A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING TO YOUR IMPRISONMENT? YES () NO (X)
- B. IF YOUR ANSWER TO A IS YES, DESCRIBE THE LAWSUIT IN THE SPACE BELOW. (IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THE SAME OUTLINE.)

1. PARTIES TO THIS PREVIOUS LAWSUIT

PLAINTIFFS:

N/A

DEFENDANTS:

N/A

2. COURT (IF FEDERAL COURT, NAME THE DISTRICT: IF STATE COURT, NAME THE COUNTY)

N/A

3. DOCKET NUMBER

N/A

4. NAME OF THE JUDGE TO WHOM THE CASE WAS ASSIGNED

N/A

5. DISPOSITION (FOR EXAMPLE, WAS THE CASE DISMISSED? WAS IT APPEALED? IS IT STILL PENDING?)

N/A

6. APPROXIMATE DATE OF THE FILING OF THE LAWSUIT

N/A

7. APPROXIMATE DATE OF THE DISPOSITION

N/A

PLACE OF PRESENT CONFINEMENT

- A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS INSTITUTION?
YES ☒ NO ☐
- B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THIS STATE PRISONER GRIEVANCE PROCEDURE? YES ☒ NO ☐

C. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

I filed a grievance with the
Supervisor on duty and appealed to
the Jail Administrator, full exhaustion

2. WHAT WAS THE RESULT?

We still didn't receive any water
until the following day after the
boil advisory was lifted. Also denied a prayer rug
without an Imam

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT.

E. IF THERE IS NO PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION, DID YOU COMPLAIN TO PRISON AUTHORITIES? YES ☐ NO ☐

F. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

2. WHAT WAS THE RESULT?

DEFENDANTS:

PLACE THE NAME AND ADDRESS OF EACH DEFENDANT YOU LISTED IN THE CAPTION ON THE FIRST PAGE OF THIS COMPLAINT. THIS FORM IS INVALID UNLESS EACH DEFENDANT APPEARS WITH FULL ADDRESS FOR PROPER SERVICE.

1. Muskingum County Jail
NAMES - FULL NAME PLEASE
28 N. 4th Street Zanesville Ohio 43701
ADDRESS - STREET, CITY, STATE AND ZIP CODE
2. Muskingum County Sheriff's Office
28 N. 4th St. Zanesville Ohio 43701
3. Muskingum County
28 N. 4th St. Zanesville Ohio 43701
4. Zanesville Municipal Corporation
28 N. 4th St. Zanesville Ohio 43701
5. The State of Ohio
28 N. 4th St. Zanesville Ohio 43701
6. _____

IF THERE ARE ADDITIONAL DEFENDANTS, PLEASE CONTINUE LISTING THEM.

STATEMENT OF CLAIM

PLEASE WRITE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. INCLUDE THE NAME OF ALL PERSONS INVOLVED. GIVE DATES AND PLACES.

DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES.

IF YOU HAVE A NUMBER OF DIFFERENT CLAIMS; PLEASE NUMBER AND SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH. USE AS MUCH SPACE AS YOU NEED. YOU ARE NOT LIMITED TO THE PAPERS WE GIVE YOU. ATTACH EXTRA SHEETS THAT DEAL WITH YOUR STATEMENT CLAIM IMMEDIATELY BEHIND THIS PIECE OF PAPER.

1. On or about August 3rd 2021 we were placed on a boil advisory for a waterline break. The Muskingum County Jail and its staff gave us 3 bottles of water at irregular intervals before a period of at least 12 hours where myself and other inmates were given no access to drinking water. I filed and appealed 3 grievances, only 1 was returned days later that I've sent home, until I figure out how to submit it into evidence, for safekeeping.
2. On or about every Tuesday and Friday since June 24th 2021, I've been made to strip naked in front of other inmates, cameras, and male and female staff at Muskingum County Jail and cover with a usually tattered blanket in order to get clean linens. I've made numerous grievances and appealed them stating I was abused as a child sexually and this policy is traumatic to me in a negative way. Staff and the Jail Administrator have done nothing for me including not providing medical care at my request for the mental stress and injury this process is causing me.

3. On or about August 2021 I was placed in the hole for 5 days for a contraband ticket I requested a hearing on that was never heard on. While in the hole I was placed in an 8 foot by 8 foot cell on the floor with only my mat because there was already another inmate on the only rack of the one man cell. There is also a toilet with a sink attached to it, a small seat, and a small tabletop in this confined space. The inmate in the cell before me ate at the seat and I was forced to eat on the floor with my mat. I filed and appealed a grievance and requested medical care I did not receive for the mental strain caused and was charged 5 dollars but received no care. I have more specific dates on my grievances I sent home that I'm willing to submit as evidence.

4. On or about the month of August 2021, a Corrections Officer Taylor called me and other inmates a homosexual slur of which I filed and appealed a grievance that is at home for safe keeping with a more specific date that I can submit as evidence during the discovery phase.

RELIEF

IN THIS SECTION PLEASE STATE (WRITE) BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT, CITE NO CASES OR STATUTES.

A declaration that the acts and omissions described herein violated plaintiff's rights under the Constitution and laws of the United States. A preliminary and permanent injunction ordering defendants to stop making me strip in the open for clean laundry. Compensatory damages in the amount of \$1,000,000 against each defendant, jointly and severally. Punitive damages in the amount of \$1,000,000 against each defendant. A jury trial on all issues triable by jury, and any costs incurred to the Plaintiff in this suit. Any additional relief this court deems just, proper, and equitable.

SIGNED THIS 18th DAY OF September 2021.

Dustin Barker
SIGNATURE OF PLAINTIFF